



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
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SDMS Document



109051

January 2, 2003

BY TELECOPY & REGULAR MAIL

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Re: Cornell Dubilier Electronics Superfund Site
South Plainfield, Middlesex County, New Jersey

Dear Counsellors:

We are in receipt of your letter dated December 19, 2002 confirming that Cornell Dubilier Electronics, Inc. ("CDE") and Dana Corporation ("Dana"), do not wish to perform the Stage IA Cultural Resources Survey for the above-referenced Site. Your letter also expresses a concern that the United States Environmental Protection Agency ("EPA") has decided "not to work cooperatively" with CDE and Dana. EPA wishes to respond to this concern and assure you that this is not at all our intention.

As described in your letter, over the past two years EPA, CDE and Dana have discussed how the remedial investigation and feasibility study ("RI/FS") for the Cornell Dubilier Electronics Superfund Site might be performed so as to accommodate the potential redevelopment of the former industrial facility that comprises a significant portion of the Site. During this time, EPA has taken a number of steps to involve your clients in the RI/FS process. EPA invited CDE and Dana to perform the RI/FS, a task frequently undertaken by potentially responsible parties ("PRPs") such as your clients, but was not able to reach agreement with CDE and Dana on the terms of an administrative order on consent governing performance of the RI/FS. EPA then worked with CDE and Dana on an alternative approach that would allow EPA to take your clients' views with respect to future development into account without compromising the integrity of the RI/FS process. To this end, Remedial Project Manager Pete Mannino provided data collected during the RI to Mark Nielsen of Environ, environmental consultant to CDE and Dana. Mr. Mannino and Mr. Nielsen discussed the data, and also the

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draft risk assessment that EPA was performing. EPA separated the Site into three operable units so as to allow a remedy to be selected for the facility on a more expedited basis. Mr. Mannino has attended meetings of the Borough Council at which the redevelopment was discussed. EPA is also in possession of the conceptual redevelopment plan for the facility, recently approved by the Borough Council, which contemplates mixed uses for this part of the Site including retail/commercial, ministorage and office/warehouse. In short, EPA has gone to great lengths to take account of your clients' vision with respect to the future use of the facility, as relevant to the selection of a remedy.

Unfortunately, despite the creation of multiple operable units as a means of expediting possible redevelopment, the RI/FS for operable unit 2 ("OU2"), consisting of the facility soils and buildings, was delayed due to circumstances beyond the control of EPA. We recognize that CDE and Dana are frustrated by this development, though we note that during this time Mr. Mannino held periodic telephone calls with Mr. Nielsen to discuss the status of the OU2 RI. Preparation of the OU2 FS is now moving forward, and we anticipate completion of that document by the end of June 2003.

We also recognize that your clients are unhappy with EPA's decision, recently conveyed to you, that we are revising the collaborative approach to the RI/FS. As discussed, we are now focusing on involving a broader group of stakeholders in developing the RI/FS, *i.e.*, representatives of the Borough of South Plainfield, the facility owner, D.S.C. of Newark, Inc. ("DSC"), community residents and NJDEP. In this regard, EPA notes that CDE and Dana have given EPA a great deal of potentially relevant information and we will continue to accept and evaluate any additional information that you provide, including but not limited to at the impending public availability sessions. At the same time, EPA must not foster the impression that we are tailoring the RI/FS to suit exclusively the needs of your clients, both of which are PRPs and neither of which have a property interest in the facility. At the December 2, 2002 meeting, EPA explained that, instead of working closely with just CDE and Dana, we intend to solicit information from the other stakeholders while completing the RI/FS for OU2, so that we are able to consider not only the redevelopment plans put forward by your clients, but the equally valid concerns of others.

Despite your current hesitation, we hope that as EPA moves forward with the process we described to you in our meeting on December 2, 2002, CDE and Dana will be pleased by the results. EPA is currently planning to host three public availability sessions during the development and preparation of the FS. The first session will likely be scheduled toward the end of January 2003, and will allow for public review of the RI Report and remedial alternative screening technical memorandum. That session will also allow for public input into the remedial alternative evaluation technical memorandum, still under preparation. The second public availability session will be held in March 2003, and will provide for public review of the remedial alternative evaluation technical memorandum. The third public availability session will be scheduled when the FS Report has been prepared, allowing for public review and discussion

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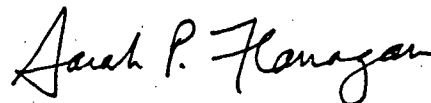
of that document, prior to the preparation of the proposed remedial action plan.

At these public sessions, Mr. Mannino and the appropriate EPA staff will be present in a public setting for an entire day, to discuss the documents being presented and gather information that may be relevant in preparation of additional deliverables. At the end of each session, Mr. Mannino will make a presentation. EPA hopes and expects that your clients will participate in these sessions, through Environ or other representatives and/or consultants. We also hope and anticipate that the Borough will be represented, and that DSC and community residents will attend and participate.

In short, EPA believes that you will find our approach to the RI/FS is cooperative and entirely consistent with the February 2002 informational publication entitled "Reusing Superfund Sites: Commercial Use Where Waste is Left on Site." As explained in that publication, it is EPA's intention to understand the reasonably anticipated future uses of the land on which a Superfund Site is located through discussions with local land use planning authorities, local officials, property owners, PRPs and the public. To date, EPA has communicated extensively with CDE and Dana, and while we very much wish to continue these communications, it is important that EPA hear all relevant points of view concerning the potential future uses of the facility.

We look forward to receipt of additional information from your clients and to a series of productive public availability sessions. Thank you for your continued cooperation in this matter.

Very truly yours,



Sarah P. Flanagan
Assistant Regional Counsel

cc: P. Mannino
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M. Sundram